

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANDREW TORO, *on behalf of himself and all*
others similarly situated, :

Plaintiff, :

-against- :

MINT PRINTS, INC., :

Defendant. :

23-CV-2894 (ALC)

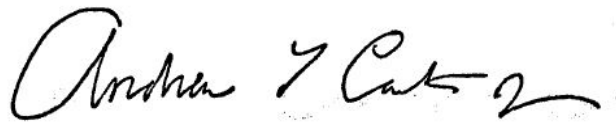
ORDER

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ANDREW L. CARTER, JR., United States District Judge:

On October 13, 2023, the Court ordered Plaintiff to show cause by October 27, 2023 as to why this action should not be dismissed without prejudice for failure to prosecute the case pursuant to Fed. R. Civ. P. 41(b). ECF No. 8. Such showing was not made. Accordingly, this case is dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (“[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff’s case sua sponte for failure to prosecute . . .”).

SO ORDERED.

Dated: November 27, 2023
New York, New York



ANDREW L. CARTER, JR.
United States District Judge